



## Landmarks & Urban Conservation Commission



**Agenda Number: 5**  
**Case No.: 10-LUCC-50002**  
**Project # 1008153**  
**February 10, 2010**

### *Staff Report*

<b>Agent</b>		<b>Staff Recommendation</b>	
<b>Applicant</b>	James Opal	<b>APPROVAL of Case # 10-LUCC-50002, Project #1008153, a request for a Certificate of Appropriateness for alteration, based on the Findings 1-9 on page 8 and subject to Condition 1 on page 9.</b>	
<b>Request</b>	Certificate of Appropriateness for new construction		
<b>Legal Description</b>	Lot 9 Coronado Place Addition		
<b>Address/Location</b>	1008 Forrester		
<b>Size</b>			
<b>Zoning</b>	SU2/SF		
<b>Historic Location</b>	Eighth and Forrester Historic Overlay Zone	Maryellen Hennessy Staff Planner	

### **Summary of Analysis**

*The application is for a Certificate of Appropriateness for the construction of a new accessory building in the Eighth and Forrester Historic Overlay Zone.*

*The new building is to be located in the rear yard at the end of a driveway and will be visible from the right-of way. The new building is subordinate to the main building.*

*The subject property is contributing to the historic district. The main house is a Simplified Queen Anne style built circa 1908. The proposed accessory building is of similar massing as the main house and utilizes similar building materials. This is an appropriate approach.*

*The integrity of the streetscape is not negatively affected by the proposed structure.*

*The proposed alterations are appropriate and the historic architectural character of the Eighth and Forrester Historic Overlay Zone is sufficiently preserved to meet applicable guidelines.*

#### **PRIMARY REFERENCES:**

*Landmarks and Urban Conservation Ordinance; Design Guidelines for the Eighth and Forrester Historic Overlay Zone.*

*City Departments and other interested agencies were given the opportunity to review this application from 1/19/10 to 1/29/10. Agency comments that were received were used in the preparation of this report, and begin on page 9.*

***Development Review Division Report:***

***SUMMARY OF REQUEST***

<b><i>Requests</i></b>	Certificate of Appropriateness for new construction
<b><i>Historic Location</i></b>	Eighth and Forrester Historic Overlay Zone

***AREA HISTORY AND CHARACTER***

***Surrounding architectural styles, historic character and recent (re)development***

	<b><i># of Stories</i></b>	<b><i>Roof Configuration, Architectural Style and Approximate Age of Construction</i></b>	<b><i>Historic Classification &amp; Land Use</i></b>
<b><i>General Area</i></b>	1-2	Hipped, gabled and flat, Simplified Queen Anne, Bungalow, Southwest Vernacular	Contributing and Non-contributing, residential
<b><i>Site to the North</i></b>	1 1/2	Hipped with projecting gables, Simplified Queen Anne by 1908	Contributing, residential
<b><i>Sites to the South</i></b>	1 1/2	Hipped with projecting gables, Simplified Queen Anne by 1908	Contributing; residential
<b><i>Sites to the East</i></b>	1	Hipped box cottage; 1907	Contributing, residential
<b><i>Site to the West</i></b>	1	Hipped Box with gablets; 1907-08	Contributing, residential

***BACKGROUND***

The primary building at 1008 Forrester is a one and one-half story single-family house with a hipped roof with intersecting gables. The house was built circa 1908 in a Simplified Queen Anne style. It is contributing to the historic district.

The applicant proposes to remove an existing 441 sq. ft. one story accessory building in the rear yard and construct a new accessory garage building of approximately 750 square feet also in one and one-half stories. The new building would have a hipped roof with projecting gables on all four sides. The building would use stucco exterior finish, wood shingles in the gable ends, asphalt roofing shingles and wood windows and door, similar to the main house.

The building would be located at the end of the driveway and will be visible from the street.

The Eighth and Forrester Historic District is described in the State and National Register nomination as “a fine and little-altered neighborhood of simple lower-middle class housing, predominately from the first decade of the twentieth century.” The nomination also states: ”Developed and largely built up in the first decade of the twentieth century, the Eighth

Street/Forrester Historic District is an excellent example of a working-class neighborhood, unscarred by substantial modern alteration or intrusion. The district is most important for its architecture, for its small, simple and attractive houses, scaled-down version of styles popular in the period between 1901 and 1925.”

Simple cottages are the predominant form in this district. A few larger houses, described as late adaptations of the Queen Anne style, are larger primarily by comparison with the simple cottages. There are a number of southwestern revival styles built between 1922 and 1929, and these houses resemble the earlier cottages in their modest size and ornamentation.

### ***APPLICABLE PLANS, ORDINANCES, DESIGN GUIDELINES & POLICIES***

#### ***City of Albuquerque Comprehensive Zoning Code***

§14-16-2-28 addresses Overlay Zones (appended to this report). §14-16-2-28 (D)(1) states:

“Any construction, alteration, or demolition which would affect the exterior appearance of any structure within said Overlay Zone shall not be undertaken until a Certificate of Appropriateness has been approved by the Landmarks and Urban Conservation Commission. Provided, however, that the adopted specific development guidelines may exempt specific structures and types of construction, alteration or demolition from the requirement for a Certificate of Appropriateness or may provide for City staff approval in lieu of Landmarks and Urban Conservation Commission approval. Procedures relating to the issuance of a Certificate of Appropriateness are prescribed in Chapter 14, Article 12, Landmarks and Urban Conservation.

#### ***Albuquerque-Bernalillo County Comprehensive Plan of 1988, amended 2003***

The plan sets out goals and policies concerning land use, environmental protection and heritage conservation.

Section II.B.5 The site is located in the Established Urban Area as mapped in the Comprehensive Plan. The Goal of the Established Urban Area is to ”create a quality urban environment which perpetuates the tradition of identifiable, individual, but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.” Applicable Established Urban Area policies include:

Policy d: “The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, and recreational concern.”

Policy o: “Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.”

Section II.B.6 This site is contained in the Central Urban Development Area, a portion of the Established Urban Development Area as defined in the Comprehensive Plan, and is subject to the policies of Section II.B.6 as well as the Established Urban Area policies. The Goal of the Central Urban Area is to “promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.”

#### **II.C.5 Historic Resources**

“The Goal for Historic Resources is to protect, reuse or enhance significant historic buildings and districts.” Applicable Historic Resources policies include:

Policy a: Efforts to provide incentives for the protection of significant buildings and districts shall be continued and expanded.

Policy b: Research, evaluation, and protection of historical and cultural properties in the City and County shall be continued where appropriate.

#### ***Resolution –046-1991 Designating the Fourth Ward and Eighth and Forrester Historic Overlay Zones (1991)***

This resolution designated, mapped, and provided general guidelines for the establishment of the Fourth Ward and Eighth and Forrester Historic Overlay Zones. For this case, this resolution will be referred to only as it applies to the Eighth and Forrester Historic Overlay Zone and the subject property contained therein, excluding references to the Fourth Ward Historic Overlay Zone. Contained within this resolution are general guidelines, of which the specific Eighth and Forrester Historic Overlay Zone Design Guidelines are derived.

#### ***Design Guidelines for the Eighth Street and Forrester Historic Overlay Zone***

The Eighth Street/Forrester Historic Overlay Zone was established by the City Council in 1991 (R-046-1991). This designation mapped the overlay zone and established certain general guidelines. The Landmarks and Urban Conservation Commission approved specific development guidelines as delegated by the Council.

#### ***Landmarks and Urban Conservation Ordinance***

This site contains a contributing primary building and a non-contributing accessory building in the Eighth and Forrester Historic Overlay Zone and the project is subject to provisions of the Landmarks and Urban Conservation Ordinance (Article 12, R.O.A., 1994). The purpose of this ordinance is to:

“Preserve, protect, enhance, perpetuate and promote the use of structures and areas of historical, cultural, architectural, engineering, archeological or geographic significance located in the city; to strengthen the city’s economic base by stimulating the tourist industry; to enhance the identity of the city by protecting the city’s heritage and

prohibiting the unnecessary destruction or defacement of its cultural assets; and to conserve existing urban developments as viable economic and social entities.”

Section 14-12-8 (A) of the LUC ordinance provides that:

"Within the boundaries of a historic zone, urban conservation overlay zone, or landmark site, the exterior appearance of any structure shall not be altered, new structures shall not be constructed, and existing structures shall not be demolished until a Certificate of Appropriateness has been duly approved."

## ***ANALYSIS***

Page 9 of the development guidelines for the Eighth and Forrester Historic Overlay Zone directs that non-contributing accessory buildings may be demolished without a Certificate of Appropriateness.

The development guidelines for the Eight and Forrester Historic Overlay Zone provide no specific criteria for new construction of accessory buildings. The guidelines for new construction are specific to single and multi family houses and commercial buildings.

The proposed accessory building utilizes massing, scale and rooflines that are similar to those of the primary house and nearby properties. It uses exterior building materials such as stucco and wood shingles that are common to the area. The detail compliments the main historic house and surrounding historic houses. The proposed building is located in the rear yard and will be visible from the street. If a gate were installed across the driveway it would be less visible.

Because of its compatibility with the surrounding contributing properties it should not affect the character of the historic district or the streetscape negatively.

## **LUC Ordinance**

The table below provides an evaluation of the submittal as it relates to the LUC Ordinance and the specific development guidelines as analyzed above.

<b>LUC Ordinance (§14-12) Guidelines for New Construction</b>	<b>Analysis</b>	<b>Does the application satisfy the ordinance criteria?</b>
§14-12-8-B-(1) The change is consistent with the designation ordinance and specific development guidelines for the historic overlay zone	There is nothing about the proposed accessory building that is in conflict with the ordinance or the guidelines.	<b>YES</b>
§14-12-8 (B) (2) The architectural character, historical value, or archaeological value of the structure or site itself or of any historic zone in which it is located will not be significantly impaired or diminished	The proposed accessory building is compatible in scale, material and building form with the buildings in the district . It is located to the rear of the site.	<b>YES</b>
§14-12-8 (B) (3) The change qualified as a “certified rehabilitation: pursuant to the Tax Reform Act of 1976		<b>Not applicable</b>
§14-12-8 (B) (4) The structure or site’s distinguished original qualities or character will not be altered. Original shall mean at the time of initial construction or developed over the course of history of the structure.		<b>Not applicable</b>
§14-12-8 (B) (5) Deteriorated architectural features should be		<b>Not applicable</b>

repaired rather than replaced, if possible. If replacement is necessary, the new material shall match the original as closely as possible in like material and design;		
§14-12-8 (B) (6) Additions to existing structure and new construction may be of contemporary design if such design is compatible with the historic zone in which it is to be located		<b>Not applicable</b>
§14-12-8 (B) (7) Demolition shall only be permitted. . . .		<b>Not applicable</b>

### ***Additional Considerations***

The Downtown Neighborhood Association was notified of this request. No comment has been received.

### ***CONCLUSIONS***

The specific development guidelines for the Eighth and Forrester Historic Overlay Zone provide no specific guidance with regard to accessory buildings. However, general principles conveyed in the guidelines can be applied.

The proposed accessory building is of similar style and massing as the main house and utilizes similar building materials. It is subordinate to the main house, as an accessory building should be. This is an appropriate approach.

It is to be located in the rear yard and will be visible from the right-of way. Because of its compatibility with the surrounding contributing buildings the integrity of the streetscape or the historic district should not be negatively affected by the proposed structure.

***SUGGESTED FINDINGS for a request for a Certificate of Appropriateness for new construction - Case #10-LUCC-50002 / Project # 1008153 (February 10, 2010)***

1. This application is a request for a Certificate of Appropriateness for the construction of a new accessory building at 1008 Forrester NW, described as Lot 9 of the Coronado Addition, in the Eight and Forrester Historic Overlay Zone, zoned SU-2/SF.
2. The subject property contains a one and one-half story hip and gable roofed house in a Simplified Queen Anne style, built circa 1908 and contributing to the Eight and Forrester Historic District.
3. The proposal is to remove an existing 441 sq. ft. non-contributing accessory building and to construct a 750 sq. ft. two car garage with second floor office space in the same location in the rear yard. The new building will have a hipped roof with projecting gables, stucco exterior and detail to match the historic house.
4. The work that is described above is consistent with the Development Guidelines for Eighth and Forrester Historic Overlay Zone. It utilizes forms and materials similar to those found on the main house and on other buildings in the historic district.
5. New construction in the overlay zone is subject to the provisions of LUC Ordinance.
6. The LUC Ordinance specifies that an application for a Certificate of Appropriateness shall be approved if it complies with several specified criteria. The work that is described above is consistent with relevant provisions in the LUC Ordinance Section 14-12-8-B- 1 and 2 as analyzed in the staff report.
7. The proposal is consistent with the designation ordinance R-046-1991.
8. This proposal furthers the Comprehensive Plan goals and policies for historic resources that include to "protect, reuse or enhance significant historic buildings and districts."
9. This proposal furthers the Established Urban Area goal and Policy d: "The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, and recreational concern." It also furthers Policy o: "Redevelopment and



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rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.”

***RECOMMENDATION - Case No. 10-LUCC-50002/Project # 1008153 (February 10, 2010)***

**APPROVAL of 10-LUCC-50002/Project # 1008153**, an application for a Certificate of Appropriateness for new construction, located at 1008 Forrester NW. This property is more specifically described as Lot 9, Coronado Place Addition, in the Eighth and Forrester Historic Overlay Zone, zoned SU-2/SF, based on the above 9 Findings and subject to the following Conditions:

**Conditions of Approval Recommended for Case No. 10-LUCC-50002/Project # 1008153:**

1. The applicant is to comply with all other relevant City of Albuquerque permits, policies and procedures.
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**Maryellen Hennessy, Senior Planner,  
Current Planning Division**

**Attachments:**

Building inventory form and photo  
Photos by staff  
§14-16-2-28 Comprehensive Zoning Code  
Resolution-046-1991 (Designation Ordinance)  
Development Guidelines for the Eighth and Forrester HOZ  
Landmarks and Urban Conservation Ordinance

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***ZONING CODE SERVICES DIVISION***

Existing Zone: SU-2/SF (Single Family) Downtown Neighborhood Area Sector Development Plan.  
This current zone corresponds to the R-1 Zone in the Zoning Code, with specific exceptions as listed on Page 15 of the governing Sector Development Plan;

Historic Overlay Zone: 8<sup>th</sup>/Forrester;

Current Use: Nonconforming Multi-Family Use (Apartment).

1. Use - The demolition/removal of the apartment, which is non-conforming as to use, and the new construction of a conforming structure - Accessory Structure solely for garage and noncommercial/recreational office space, conforms to the governing regulations in which the structure shall be located.
2. Hereafter the apartment building with the nonconforming use, multi-family, is to be removed from the property and the new constructed accessory structure is not to be used/occupied thereafter except as an accessory structure solely for garage and noncommercial/recreational office.
3. Height - The height of the proposed accessory structure (building) conforms to the applicable height regulations. Refer to Section 14-16-3-3(B)(2) of the Zoning Code.
4. The accessory structure used as garage for off-street parking with access to an ally is set back 10 feet from the alley, which conforms to the set back requirement from the alley. Refer to Section 14-16-3-3(B)(2)(c) of the Zoning Code.
5. The applicant must maintain/demonstrate a 10-foot separation between the proposed accessory structure and any dwelling or accessory living quarters. Refer to Section 14-16-3-3(B)(e) of the Zoning Code.

***BUILDING & SAFETY SERVICES DIVISION***

***HISTORIC PRESERVATION/ADVANCED PLANNING***

***PNM***

***ENVIRONMENTAL HEALTH DEPARTMENT***

***SOLID WASTE MANAGEMENT DEPARTMENT***

***FIRE DEPARTMENT/Planning***

***COMMENTS FROM OTHER AGENCIES, WHEN APPLICABLE:***

***TRANSIT DEPARTMENT***

***POLICE DEPARTMENT***

***PARKS AND GENERAL SERVICES***

***OPEN SPACE DIVISION***

***BERNALILLO COUNTY***

***ALBUQUERQUE FLOOD CONTROL AUTHORITY***

***ALBUQUERQUE PUBLIC SCHOOLS***

***MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS***